REMARKS/ARGUMENTS

Claims 1-31 and 36-39 are pending in the application. Claims 1 and 5 are amended herein. The Applicant hereby requests further examination and reconsideration of the application in view of the foregoing amendments and these remarks.

On 10/06/04, the Examiner participated in a telephonic interview with the Applicant's attorney Steve Mendelsohn. The Applicant thanks the Examiner for the courtesy of that interview.

In paragraph 4 of the office action, the Examiner rejected claims 1-8, 15-16, 20-21, and 36-39 under 35 U.S.C. 102(b) as being anticipated by Kondo. In paragraph 6, the Examiner rejected claims 4, 12, 18, and 26 under 35 U.S.C. 103(a) as being unpatentable over Kondo in view of Suzuki. In paragraph 7, the Examiner rejected claims 9, 19, and 31 under 103(a) as being unpatentable over Kondo in view of Boyce. In paragraph 8, the Examiner objected to claims 10-11, 13-14, 17, 22-25, and 27-30 as being dependent upon a rejected base claim, but indicated that those claims would be allowable if rewritten in independent form. For the following reasons, the Applicant submits that all of the pending claims are allowable over the cited references.

The Applicant believes that the indication that claim 4 was rejected under 102(b) in paragraph 4 was mistake, given that (1) the substance of claim 4 was not discussed in paragraph 4 and (2) claim 4 was rejected under 103(a) in paragraph 5. If the rejection of claim 4 is maintained, the Applicant requests clarification of the status of that rejection.

Claims 1 and 5

Claims 1 and 5 have been amended to clarify that the motion-based predictive coding comprises motion computation adapted to generate motion information using during the motion-based predictive coding, where at least some of the motion information used during the motion-based predictive coding is excluded from the encoded video bitstream. Support for these amendments is found in Fig. 1 (see motion computation 114) and Fig. 4 (see block 412).

During the interview, the Examiner agreed that Kondo does not teach the combination of features recited in currently amended claim 1. None of the other cited references teaches or even suggests the features missing from Kondo. As such, the Applicant submits that claims 1 and 5 are allowable over the cited references.

Claims 15 and 20

According to claims 15 and 20, at least some motion information used during the motion-based predictive decoding is generated by performing motion computation as part of the decoding. Support for this feature is found in Fig. 6 (see low-res motion computation 608) and Fig. 7 (see block 704).

During the interview, the Examiner agreed that Kondo does not teach the combination of features recited in claim 15. None of the other cited references teaches or even suggests the features missing from Kondo. As such, the Applicant submits that claims 15 and 20 are allowable over the cited references.

Since the rest of the claims depend variously from claims 1, 5, 15, and 20, it is further submitted that those claims are also allowable over the cited references.

The Applicant submits therefore that the rejections of claims under Sections 102(b) and 103(a) have been overcome.

In view of the above amendments and remarks, the Applicant believes that the now-pending claims are in condition for allowance. Therefore, the Applicant believes that the entire application is now in condition for allowance, and early and favorable action is respectfully solicited.

Respectfully submitted,

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